

SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY – PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled:

APPARATUS AND METHOD FOR PLANNING A STEREOTACTIC SURGICAL
PROCEDURE USING COORDINATED FLUOROSCOPY

PROCEDURE USING COORDINATED FLUOROSCOPY, the
specification of which

(check one)

 is attached hereto

X was filed on May 17, 1996 as

United States Application Serial No. 08/649,798 or

PCT International Application No. _____

and was amended on _____

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

Yes No

No

(Number)

(Country)

(Day/Month/Year Filed)

Yes	No
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No

(Number)

(Country)

(Day/Month/Year Filed)

Yes No

No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/648,313
(Application Serial No.)

May 15, 1996
(Filing Date)

Abandoned
(Status-patented, pending,
abandoned)

(Application Serial No.)

(Filing Date)

(Status-patented, pending,
abandoned)

(Application Serial No.)

(Filing Date)

(Status-patented, pending,
abandoned)

(Application Serial No.)

(Filing Date)

(Status-patented, pending,
abandoned)

I hereby appoint William R. Coffey, Reg. No. 24023; Jerry E. Hyland, Reg. No. 20904; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Timothy E. Niednagel, Reg. No. 33266; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31105; Paul B. Hunt, Reg. No. 37154; John P. Breen, Reg. No. 38833; Jill L. Werling, Reg. No. 39874, and Nancy J. Harrison, Reg. No. 27083, as attorneys of

record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG
1313 Merchants Bank Building
11 South Meridian Street
Indianapolis, Indiana 46204
Telephone (317) 638-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Michael A. Peshkin
Inventor's Signature

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Third Inventor's Signature

Residence and Post Office Address

Full Name of Fourth Joint Inventor, if any

Fourth Inventor's Signature

Residence and Post Office Address

U.S.

Country of Citizenship

5/5/97
Date

Dominican Republic

Country of Citizenship

5/5/97
Date

Country of Citizenship

Date

Country of Citizenship

Date

Additional inventors to be similarly identified on attached sheet.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: Unknown

Serial or Patent No.: 08/649,798

Attorney-Docket No.: 6739-26640

Filing or Issue Date: May 17, 1996

Applicant or Patentee: Peshkin et al.

Invention: APPARATUS AND METHOD FOR PLANNING A STEREOTACTIC SURGICAL
PROCEDURE USING COORDINATED FLUOROSCOPY
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9 (f) and 1.27 (d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Northwestern University
ADDRESS OF ORGANIZATION 1801 Maple Avenue
Evanston, Illinois

TYPE OF ORGANIZATION

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3))
☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3))
if located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America
if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled APPARATUS AND METHOD FOR PLANNING A STEREOTACTIC SURGICAL PROCEDURE by inventor(s) Michael A. Peshkin and Julio J. Santos-Munne described in USING COORDINATED FLUOROSCOPY

- ☐ the specification filed herewith
☒ application serial no. 08/649,798, filed May 17, 1996
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Indrani Mukharji
TITLE IN ORGANIZATION Director, Technology Transfer Program
ADDRESS OF PERSON SIGNING 1801 Maple Avenue
Evanston, IL 60201

SIGNATURE Indrani Mukharji DATE July 15, 1996